

ENTERED

March 23, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ANDREW JOSEPH STUBBS,

Petitioner,

v.

LORIE DAVIS and BOBBY LUMPKIN,

Respondents.

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Civil Action No. 2:18-CV-00289

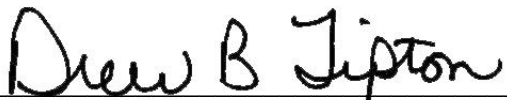
ORDER ACCEPTING MEMORANDUM AND RECOMMENDATION

Pending before the Court is the March 7, 2022 Memorandum and Recommendation (“M&R”) of Magistrate Judge Jason B. Libby. (Dkt. No. 66). Magistrate Judge Libby recommends the Court grant Respondents Davis and Lumpkin’s Motion for Summary Judgment, (Dkt. No. 20), and dismiss Petitioner Stubbs’s habeas petition, (Dkt. No. 1). Magistrate Judge Libby also recommends denying a certificate of appealability.

The Parties were provided notice and the opportunity to object. *See* 28 U.S.C. § 636(b)(1). No objections were filed, so review is for plain error. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005). And none appears. The Court **ACCEPTS** the M&R as the Court’s Memorandum Opinion and Order. The Court **GRANTS** the Motion for Summary Judgment and **DISMISSES WITH PREJUDICE** Stubbs’s habeas petition. (Dkt. No. 1). The Court **DENIES** a certificate of appealability.

It is SO ORDERED.

Signed on March 22, 2022.


DREW B. TIPTON
UNITED STATES DISTRICT JUDGE